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October 5, 2022

**BY EMAIL / ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *1:21 CR00675- 001 (KPF)*

Dear Judge Failla,

The firm of Lebedin Kofman LLP has represented Mr. Pache in this matter since October 10, 2021. This case is currently scheduled for sentencing on October 26, 2022 with the defendant's sentencing submission due on October 12, 2022. The firm of Lebedin Kofman LLP by the undersigned, John B. Signoriello, makes this application respectfully requesting to be relieved as Counsel, pursuant to local rule 1.4., that a CJA attorney be assigned to represent Mr. Pache, and that a new sentencing date and schedule be set so that Mr. Pache's newly assigned attorney may complete the sentencing.

On or about October 10, 2021, Mr. Pache executed a retainer agreement for the firm's services to defend Mr. Pache and he and his family asserted they had the financial capabilities to satisfy the retainer.

Mr. Pache has had an outstanding balance with the firm since April of 2022. Mr. Pache and his family are unable or unwilling to pay the firm for legal services. This has created a

conflict in the attorney client relationship, due to Mr. Pache's inability or refusal to pay the firm for legal services. A CJA attorney is respectfully requested to be assigned to Mr. Pache as it is our understanding that he is indigent.

*/s/ John B. Signoriello*

By: John B. Signoriello, Esq.  
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cc: AUSA Thomas Burnett

The Court is in receipt of the above letter motion to withdraw as counsel. (Dkt. #53). The parties are hereby ORDERED to attend a video conference regarding the withdrawal motion on **October 11, 2022, at 11:00 a.m.** Instructions to video participants will be sent separately in advance of the conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 53.

Dated: October 6, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE